

ORIGINAL

APR 28 2004

By: *W. H. [Signature]*
Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

JOHN RAMSEY, PATSY RAMSEY and	:	
BURKE RAMSEY, a minor, by his	:	
next friends and natural parents,	:	
JOHN RAMSEY and PATSY RAMSEY,	:	CASE NO.: 1 03 CV-3976 (TWT)
Plaintiffs,	:	
vs.	:	
FOX NEWS NETWORK, L.L.C., d/b/a	:	
Fox News Channel,	:	
Defendant.	:	

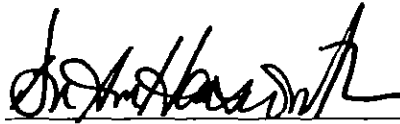
MOTION TO DISMISS PLAINTIFFS'
AMENDED COMPLAINT PURSUANT TO F.R.C.P. 12(b)(6)

Defendant Fox News Network, LLC, by its attorneys, Hogan & Hartson L.L.P. and Alston & Bird L.L.P., respectfully moves this Honorable Court to dismiss plaintiffs' Amended Complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure for failure to state a cause of action. The factual and legal grounds for this motion are set forth in the Memorandum of Law in Support of Defendant's Motion to Dismiss Plaintiffs' Amended Complaint and the Declaration of Dori Ann Hanswirth, dated the 26th day of April, 2004, and accompanying exhibit, filed herewith in accordance with Local Rule 7.1A.(1), N.D. Ga.

24

Dated: April 27, 2004

Respectfully Submitted,
HOGAN & HARTSON L.L.P.

A handwritten signature in black ink, appearing to read 'Dori Ann Hanswirth', is written over a horizontal line.

Dori Ann Hanswirth
Trina R. Hunn
Jason P. Conti
875 Third Avenue
New York, New York 10022
Tel: (212) 918-3000
Facsimile: (212) 918-3100
- and -

ALSTON & BIRD L.L.P.
Judson Graves
Ga. Bar # 305700
One Atlantic Center
1201 West Peachtree Street
Atlanta, GA 30309
Tel: (404) 881-7279
Facsimile: (404) 881-7777

Counsel for Defendant

Certification of Counsel

Pursuant to N.D. Ga. Local Rule 7.1D, I hereby certify that this document is submitted in Times New Roman 14 point type as required by N.D. Ga. Local Rule 5.1B.


DORI ANN HANSWIRTH

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION


JOHN RAMSEY, PATSY RAMSEY and	:	
BURKE RAMSEY, a minor, by his	:	
next friends and natural parents,	:	
JOHN RAMSEY and PATSY RAMSEY,	:	
	:	
Plaintiffs,	:	CASE NO.: 1 03 CV-3976 (TWT)
	:	
vs.	:	
	:	
FOX NEWS NETWORK, L.L.C., d/b/a	:	
Fox News Channel,	:	
	:	
Defendant.	:	

CERTIFICATE OF SERVICE

This is to certify that I have on this date served a true and correct copy of the within and foregoing **MOTION TO DISMISS PLAINTIFFS' AMENDED COMPLAINT PURSUANT TO F.R.C.P. 12(b)(6)** upon counsel for Plaintiffs by Georgia Messenger courier service for hand delivery on this date, addressed as follows:

L. Lin Wood, Esquire
L. LIN WOOD, P.C.
The Equitable Building
Suite 2140
100 Peachtree Street
Atlanta, Georgia 30303-1913

This 28th day of April, 2004.



PATRICK R. COSTELLO
Georgia Bar No. 189329

ALSTON & BIRD LLP
One Atlantic Center
1201 West Peachtree Street
Atlanta, Georgia 30309-3424
(404) 881-7000
(404) 881-7777 facsimile

Counsel for Defendant